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S E C R E T SECTION 01 OF 02 STATE 163961

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E.O. 12958: DECL: 11/30/2022
TAGS: [PTER](#) [PREL](#) [PHUM](#) [PINS](#) [LY](#)
SUBJECT: LIBYA: FOLLOW-UP ON DETAINEES AND THE GOL'S REQUEST TO VISIT
GUANTANAMO

REF:A) S/WCI-GODFREY MTG ON SEPTEMBER 24, 2007
B) STATE 135205
C) STATE 127608
D) STATE 151118
E) GODFREY EMAIL RECEIVED NOVEMBER 6, 2007
F) TRIPOLI 943

Classified by NEA/MAG Director Elizabeth Hopkins for reasons 1.4(b)
and (d).

SUMMARY

1. (S/NF) Department requests that Post continue to seek additional information regarding returned Libyan detainee Muhammad Abdallah Mansur al-Rimi's (ISN 194) injuries and ongoing treatment in the GOL's custody. DoD confirms that the detainee did not sustain the arm injury at Guantanamo, as the GOL reports that al-Rimi has claimed. Department also seeks information regarding the welfare and whereabouts of returned Libyan detainee Ben Qumu Abu Sufian Ibrahim Ahmed Hamouda (ISN 557) and access to Mr. Hamouda. See action requests at paragraph six. End summary.

OBJECTIVES

2. (S/REL LIBYA) Department instructs Embassy to pursue the following objectives:

-- Continue to seek access to al-Rimi in order to clarify the nature and extent of his injuries and to ensure that his current and future treatment comply with the assurances the GOL provided;

-- Verify Hamouda's welfare and whereabouts since his return to Libya;

--Emphasize that it is very important for the GOL to abide by the humane treatment assurances it provided to the United States; and

--Inform the GOL that the USG will not consider the GOL's request for Guantanamo access until the circumstances of al-Rimi's injuries are confirmed through direct access and the USG gains access to Mr. Hamouda.

REPORTING DEADLINE

3. Embassy should report results of efforts by cable to Jason S. Gorey before December 21.

BACKGROUND

4. (S/NF) In response to post's inquiry about returned detainee al-Rimi's arm injury, the GOL stated that al-Rimi told the GOL the injury occurred at Guantanamo (ref F). DoD has no record of such an injury occurring prior to al-Rimi's transfer to Libya, which suggests that the injury occurred while al-Rimi was in the GOL's custody. As a result, the PCC on Detainees currently is not considering the

transfer to Libya of any additional detainees who do not express a desire to return.

¶5. (S/NF) During a November 1, 2007 meeting with MFA Americas Affairs head Ahmed Fituri (ref F), CDA reiterated Post's request for timely access to al-Rimi and Hamouda. To-date, no access has been provided.

¶6. (S/NF) It is incumbent upon the USG to continue to monitor al-Rimi's treatment in detention while we believe he continues to be at risk. We should therefore insist that the GOL abide by its assurances, including access to transferees, noting that the USG is concerned about al-Rimi's injuries, the medical treatment which he is receiving for those injuries, and our ability to enjoy continued access to him pursuant to the access assurances the GOL provided in the USG-GOL detainee transfer framework MOU.

¶7. (S/NF) We should leverage, as appropriate, the GOL's interest in discussing future transfers and its desire to visit other Libyans detained at Guantanamo to encourage the GOL to be forthcoming with respect to al-Rimi's injuries, his treatment, and access to him. We should explicitly state that no consideration will be given to the GOL's request to visit Guantanamo until access to al-Rimi is facilitated. We should underscore that we regard the GOL's humane treatment assurances as a significant bilateral commitment, and that it is very important for Libya to treat transferees humanely in accordance with those assurances.

¶8. (S/NF) It is also incumbent upon the USG to verify the welfare and whereabouts of Hamouda since his return to Libya on September 29,

STATE 00163961 002 OF 002

¶2007. The specific circumstances surrounding his repatriation, including its voluntary nature, allowed us to proceed with the transfer consistent with the USG's humane treatment policy. Nevertheless, we are concerned about the GOL's willingness to abide by the previously provided assurances, which apply to Hamouda's treatment after repatriation. Hamouda's U.S. counsel recently contacted the Department of Justice and expressed concern that they are unable to locate him either through family or NGO contacts. NGO and congressional interest in his case are likely to increase if his welfare and whereabouts cannot be determined. We should therefore make every effort to get clarity on his situation, including gaining access to Mr. Hamouda.

POINT OF CONTACT

¶9. Please contact Jason S. Gorey at (202) 647-8219 or via e-mail for any necessary additional background information or argumentation to meet our objectives.

ADDITIONAL NOTES

¶10. (U) Tripoli minimize considered.
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